

REMARKS

In the Office Action, the Examiner noted that claims 1-20 are pending in the application and that claims 1-20 are rejected. By this response, claims 1 and 12 are amended. Claims 2-11 and 13-20 continue unamended. In view of the above amendments and the following discussion, Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Thus, Applicants believe that all of these claims are now in condition for allowance.

**I. OBJECTIONS**

**A. Drawings**

The Examiner objected to the drawings as failing to comply with 37 C.F.R. 1.84(p)(5). In particular, the Examiner stated that the reference sign 314 is missing from FIG. 3C.

FIG. 3C, as originally filed, includes two reference signs, namely, reference sign 314, which designates a microphone, and reference sign 316, which designates a support structure for the microphone. In addition, Applicants submitted formal drawings on August 6, 2001, in which the reference sign 314 is also included in FIG. 3C. To facilitate withdrawal of the present objection, Applicants re-submit herewith three (3) sheets of formal drawings (FIGs. 1-3). As such, Applicants respectfully request that the objection to the drawings be withdrawn.

**B. Specification**

The Examiner objected to the specification due to a misspelling of the word "could" in paragraph 0021. Applicants have amended paragraph 0021 to correct the typographical error. As such, Applicants respectfully request that the objection to the specification be withdrawn.

**II. REJECTION OF CLAIMS UNDER 35 U.S.C. §103**

**A. Claims 1-3, 5-6, 8-14, and 16-19**

The Examiner rejected claims 1-3, 5-6, 8-14, and 16-19 as being unpatentable over Burfeind (United States patent 6,360,172, issued March 19, 2002) in view of Dowling (United States patent 6,522,875, issued February 18, 2003). The rejection is respectfully traversed.

More specifically, the Examiner conceded that Burfeind does not disclose broadcasting information over a broadcast network to a user device. (Office Action, p. 3). The Examiner alleged, however, that Dowling teaches broadcasting information over a broadcast network to a user device and filtering the broadcast information within the user device to generate user specific information. (Office Action, p. 3). The Examiner concluded that it would have been obvious to use the broadcast method of Dowling in the distribution system of Burfeind to "create a more dynamic or robust system that ensures that the mobile user will have access to information that is pertinent to said user." (Office Action, p. 3).

Burfeind generally teaches a system for distributing natural-phenomenological information to a subscriber. (See Burfeind, Abstract). In particular, Burfeind describes using the personal preferences of a subscriber to filter collected phenomenological data. (Burfeind, Abstract). The filtered data is then delivered to the user using a point-to-point delivery system (i.e., directly to the requesting subscriber). (Burfeind, col. 6, lines 23-50). As conceded by the Examiner, Burfeind does not teach the broadcast of information to user devices.

Dowling teaches broadcasting packets from a local broadcast domain entity to a mobile unit. (Dowling, col. 6, lines 48-51). The mobile unit selectively filters the broadcast packets in accordance with filter parameters established by the user. (Dowling, col. 9, lines 40-65).

In view of the foregoing, the cited references, either singly or in any permissible combination, do not teach, suggest, or otherwise render obvious Applicants' invention as recited in claim 1. Namely, the alleged combination fails to teach or suggest transmitting broadcast information over a plurality of heterogeneous broadcast networks and receiving the broadcast information in a user device from at least one of the broadcast networks. Specifically, Applicants' amended claim 1 positively recites:

A method of distributing information to a user comprising:

- storing collected information in an information database;
- transmitting some of the collected information as broadcast information over a plurality of heterogeneous broadcast networks;
- receiving the broadcast information in a user device from at least one of the plurality of heterogeneous broadcast networks; and
- filtering, within the user device, said broadcast information to generate user-specific information.

(Emphasis added). Notably, by using multiple broadcast networks, Applicants' invention advantageously selects the optimum communication channel or system to deliver the filtered information to the user device. (See Applicants' specification, ¶14). Moreover, the use of multiple broadcast networks allows mobile users of the invention to travel to multiple locations, each of which is serviced by a different broadcast transmission network. (See Applicants' specification, ¶14).

Burfeind is devoid of any teaching or suggestion of broadcasting information to users. In addition, Dowling fails to teach or suggest broadcasting packets using a plurality of heterogeneous broadcast networks. Rather, Dowling describes broadcasting packets using a single local broadcast domain entity. In other words, Dowling employs a single type of broadcast network for a given location. Thus, the mobile units in Dowling are limited to the particular local broadcast domain entity in use in at a given location, whereas Applicants' invention permits a mobile device to select among multiple heterogeneous broadcast networks for information delivery.

Since neither Burfeind nor Dowling teach or suggest transmitting broadcast information over a plurality of heterogeneous broadcast networks and receiving the broadcast information in a user device from at least one of the broadcast networks, no conceivable combination of Burfeind and Dowling teach or suggest Applicants' invention as recited in claim 1. Moreover, amended claim 12 recites a system for distributing information to a user having features similar to those features of claim 1 emphasized above. Thus, Applicants contend that claims 1 and 12 are patentable over Burfeind and Dowling and, as such, fully satisfy the requirements under 35 U.S.C. §103.

Finally, claims 2-3, 5-6, 8-11, 13-14, and 16-19 depend, either directly or indirectly, from claims 1 and 12 and recite additional features therefor. Since the

combination of Burfeind and Dowling does not render obvious Applicants' invention as recited in claims 1 and 12, dependent claims 2-3, 5-6, 8-11, 13-14, and 16-19 are also nonobvious and are allowable.

#### B. Claims 4 and 15

The Examiner rejected claims 4 and 15 as being unpatentable over Burfeind in view of Dowling, in further view of Matsushima (United States patent 6,535,717, issued March 18, 2003). The rejection is respectfully traversed.

More specifically, the Examiner conceded that the combination of Dowling does not specifically teach inserting broadcast information into a digital television signal and broadcasting the digital television signal. (Office Action, p. 8). The Examiner alleged, however, that Matsushima teaches a system that broadcasts multimedia information within a digital television signal. (Office Action, p. 8). The Examiner concluded that it would have been obvious to use the high definition signal format taught by Matsushima with the distribution system taught by Burfeind and Dowling "in order to have a[n] optimal broadcast system that provides the mobile user with high resolution data." (Office Action, p. 9).

Matsushima generally teaches a transmitting apparatus for digital broadcasts. (See Matsushima, Abstract). In particular, Matsushima teaches that includes an S-band mobile digital broadcasting satellite for broadcasting multimedia digital information, such as music. (Matsushima, col. 8, line 31-40).

Claims 4 and 15 respectively depend from claims 1 and 12 and recite additional features therefor. The alleged references, either singly or in any permissible combination, do not teach, suggest, or otherwise render obvious Applicants' invention as recited in claims 1 and 12. As discussed above, the combination of Burfeind and Dowling fails to teach or suggest transmitting broadcast information over a plurality of heterogeneous broadcast networks and receiving the broadcast information in a user device from at least one of the broadcast networks. Matsushima is devoid of any teaching or suggestion of transmitting information using a plurality of heterogeneous broadcast networks. Rather, Matsushima teaches a single satellite broadcast system

for broadcasting multimedia digital information. Thus, no conceivable combination of Burfeind, Dowling, and Matsushima teaches or suggests Applicants' invention as recited in claims 1 and 12. Therefore, Applicants contend that claims 4 and 15, which respectively depend from claims 1 and 12, are patentable over the cited references and, as such, fully satisfy the requirements under 35 U.S.C. §103.

### C. Claims 7 and 20

The Examiner rejected claims 7 and 20 as being unpatentable over Dowling in view of Petty (United States patent 6,308,073, issued October 23, 2001). The rejection is respectfully traversed.

More specifically, the Examiner conceded that Dowling does not teach the use of a network of terrestrially based wireless stations to determine location of a wireless receiver. (Office Action, p. 10). The Examiner alleged, however, that Petty teaches such a network of terrestrially based wireless stations. (Office Action, p. 10). The Examiner concluded that it would have been obvious to use the terrestrially based position location system of Petty in place of the GPS location method taught by Dowling "in order to achieve an alternate means of locating mobile receivers in the wireless network." (Office Action, p. 10).

Petty generally teaches location of a remote station within an area of a wireless communications network without using a GPS system. (See Petty, Abstract). In particular, Petty teaches establishing communication between a remote station and a plurality of base stations and measuring position using propagation delay times associated with transmitted or received signals. (Petty, Abstract).

Claims 7 and 20 respectively depend from claims 1 and 12 and recite additional features therefor. The cited references, either singly or in any permissible combination, do not teach, suggest, or otherwise render obvious Applicants' invention as recited in claims 1 and 12. As discussed above, Dowling is devoid of any teaching or suggestion of transmitting broadcast information over a plurality of heterogeneous broadcast networks and receiving the broadcast information in a user device from at least one of the broadcast networks. Petty does not teach or suggest broadcasting information

using a plurality of heterogeneous broadcast networks. Rather, Petty is concerned with a position location system. Thus, no conceivable combination of Dowling and Petty teaches or suggests Applicants' invention as recited in claims 1 and 12. Therefore, Applicants contend that claims 7 and 20, which respectively depend from claims 1 and 12, are patentable over the cited references and, as such, fully satisfy the requirements under 35 U.S.C. §103.

### CONCLUSION

Thus, Applicants submit that none of the claims presently in the application are obvious under the provisions of 35 U.S.C. § 103. Consequently, Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring any adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Robert M. Brush, Esq. or Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,



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